

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

<b>FILED</b>
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

**AMEND Senate Bill No. 1326**

**House Bill No. 1176\***

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 42-4-105(a)(1)(B), is amended by deleting the subdivision.

SECTION 2. Tennessee Code Annotated, Section 42-4-105(d)(1), is amended by deleting the subdivision and substituting instead the following:

(1) Notwithstanding this section to the contrary:

(A) The board of commissioners of the authority in a county having a metropolitan form of government with a population of more than five hundred thousand (500,000), according to the 2020 federal census or a subsequent federal census, is vacated and reconstituted to consist of ten (10) commissioners as follows:

(i) Three (3) persons to be appointed by the speaker of the house of representatives;

(ii) Three (3) persons to be appointed by the speaker of the senate;

(iii) Three (3) persons to be appointed by the governor; and

(iv) The mayor of the county having the metropolitan form of government or the mayor's designee, who serves as an ex officio, nonvoting commissioner;

(B) Persons appointed to the board must:



0272014813



\*004395\*

(i) Be residents of the county having the metropolitan form of government; and

(ii) Have no financial interest in an airport or its concessions at the time of the commissioner's appointment and during the commissioner's tenure on the board;

(C) In order to stagger the terms of the newly appointed board, initial appointments are made as follows:

(i) Commissioners appointed under subdivision (d)(1)(A)(iii) serve initial terms that expire on June 30, 2025;

(ii) Commissioners appointed under subdivision (d)(1)(A)(i) serve initial terms that expire on June 30, 2026; and

(iii) Commissioners appointed under subdivision (d)(1)(A)(ii) serve initial terms that expire on June 30, 2027;

(D) Following the expiration of a commissioner's initial term, as prescribed in subdivision (d)(1)(C), all terms are four (4) years, to begin on July 1 and terminate on June 30, four (4) years thereafter;

(E) In making the appointments to the board, the appointing authorities shall strive to ensure that:

(i) The membership is representative of the geographic and demographic composition of the county or state;

(ii) At least one (1) commissioner is a female; and

(iii) Another commissioner is of a racial minority;

(F) In making the appointments to the board, the appointing authorities shall ensure that each commissioner is generally a person of excellent character and reputation and a person in good standing and reputation in one (1) of the following fields:

(i) Engineering, with a license to practice in the state and an active practice in such profession for the preceding five (5) years;

(ii) Law, with a license to practice before the highest court in this state for a period of not less than five (5) years;

(iii) Industry or commerce; and

(iv) Finance;

(G) A commissioner:

(i) Serves in such capacity until the expiration of the term to which the commissioner was appointed and until the commissioner's successor is duly appointed and qualified; and

(ii) May be removed by the commissioner's appointing authority with or without cause. A vacancy created by the removal of a commissioner is filled by the appointing authority in the same manner as the original appointment;

(H) In addition to the reporting requirements under § 42-4-106(d) and (e), the authority shall submit quarterly reports or briefings of the activities, plans, and conditions of the authority, and any proposals for capital expansion or improvements to members of the legislative body of the creating municipality, the governor, the speaker of the house of representatives, and the speaker of the senate prior to the expansion or improvements; and

(I) The authority is subject to all other provisions of this chapter to the extent otherwise applicable, except as provided by this section.

SECTION 3. Tennessee Code Annotated, Section 42-4-102(a), is amended by adding the following language at the end of the subsection:

The acquisition of any land, or interest in land, pursuant to this chapter, the planning, acquisition, establishment, development, construction, improvement, maintenance, equipment, operation, regulation, and protection of airports, air navigation facilities, and

avigation easements, including the acquisition or elimination of airport hazards and the exercise of any other powers granted in this chapter to authorities are declared to be public and governmental functions, exercised for a public purpose, and matters of public necessity. All land and other property and privileges acquired and used by or on behalf of an authority in the manner and for the purposes enumerated in this chapter shall and are declared to be acquired and used for public and governmental purposes and as a matter of public necessity.

SECTION 4. Tennessee Code Annotated, Section 42-4-106(b), is amended by deleting the subsection and substituting instead the following:

(b) The president shall appoint, and the board shall confirm, the following additional officers: secretary, auditor, legal counsel, treasurer, and chief engineer. Notwithstanding this section to the contrary, for a board of commissioners of the authority in a county having a metropolitan form of government with a population of more than five hundred thousand (500,000), according to the 2020 federal census or a subsequent federal census, the president shall appoint, and the board shall confirm, an independent financial auditing firm and the following additional officers: secretary, chief financial officer, general counsel, and chief operating officer.

SECTION 5. Tennessee Code Annotated, Section 42-4-106(d), is amended by adding the following language as a new subdivision (3):

The president shall submit the approved annual operating budget to the governor, the speaker of the house of representatives, and the speaker of the senate for review.

SECTION 6. Tennessee Code Annotated, Section 42-4-107(3), is amended by deleting the subdivision and substituting instead the following:

(3) Acquire real or personal property or an interest in real or personal property by gift, lease, or purchase, or for an authority in a county having a metropolitan form of government with a population of more than five hundred thousand (500,000), according

to the 2020 federal census or a subsequent federal census, by eminent domain proceedings, for any of the purposes provided by this chapter, including the elimination, prevention, or marking of airport hazards; sell, lease, or otherwise dispose of any such property; and acquire real property or any interest in real property in areas most affected by aircraft noise for the purpose of resale or lease, subject to restrictions limiting its use to industrial or other purposes least affected by aircraft noise;

SECTION 7. Tennessee Code Annotated, Section 42-4-107, is amended by adding the following as new subdivisions:

(20) Notwithstanding a general law or charter provision to the contrary, an authority in a county having a metropolitan form of government with a population of more than five hundred thousand (500,000), according to the 2020 federal census or a subsequent federal census, may regulate aircraft hazards, compatible land use, or other factors impacting the safe and efficient operation of the airport by submitting a map to the county or to an applicable contiguous county that requires the review and approval, conditional approval, or denial of building permits within the designated boundaries;

(21) Notwithstanding a general law or charter provision to the contrary, an authority in a county having a metropolitan form of government with a population of more than five hundred thousand (500,000), according to the 2020 federal census or a subsequent federal census, may construct, authorize, widen, narrow, relocate, vacate, change in the use, accept, acquire, sell, or lease any street or other public way, ground, place or space, or public utility whether publicly or privately owned, or any portion thereof; provided, that the authority owns all of the real property abutting the street or other public way, ground, place or space, or public utility, or owns all of the real property abutting the portions thereof that are to be constructed, authorized, widened, narrowed, relocated, vacated, changed in use, accepted, acquired, sold, or leased;

SECTION 8. Tennessee Code Annotated, Section 42-4-108, is amended by designating the existing language as subsection (a) and adding following as a new subsection (b):

(b) Notwithstanding subsection (a) to the contrary, an authority in a county having a metropolitan form of government with a population of more than five hundred thousand (500,000), according to the 2020 federal census or a subsequent federal census, shall proceed in accordance with title 29, chapter 16, in the acquisition of property by eminent domain proceedings authorized by this chapter. For the purpose of making surveys and examinations relative to eminent domain proceedings, it is lawful for the authority to enter upon the land, doing no unnecessary damage. Notwithstanding another law to the contrary, an authority may take possession of any property to be acquired by eminent domain proceedings at any time after the commencement of the proceedings. The authority shall not be precluded from abandoning the proceedings in a case where possession of the property has not been taken, even after a trial jury in circuit court has rendered a verdict as to damages for the property taken and at any time prior to the entry of a final decree disposing of the entire eminent domain proceedings.

SECTION 9. Tennessee Code Annotated, Section 42-4-112, is amended by deleting the section and substituting instead the following:

This chapter shall not be construed to limit any power of a municipality to regulate airport hazards by zoning. Notwithstanding this section to the contrary, in a county having a metropolitan form of government with a population of more than five hundred thousand (500,000), according to the 2020 federal census or a subsequent federal census, airport hazards must be regulated pursuant to § 42-4-107(20).

SECTION 10. For purposes of appointing commissioners to the new airport authority board, this act takes effect upon becoming a law, the public welfare requiring it. For all other purposes, this act takes effect July 1, 2023, the public welfare requiring it.

House Transportation Subcommittee Am. #1

**Amendment No.** \_\_\_\_\_

\_\_\_\_\_  
**Signature of Sponsor**

**AMEND Senate Bill No. 894**

**House Bill No. 929\***

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting the language "or receiving foster care services" from the first sentence of the  
amendatory language of subsection (h) in SECTION 1.

**AND FURTHER AMEND** by deleting the language "or foster care" from the second sentence of  
the amendatory language of subsection (h) in SECTION 1.

**AND FURTHER AMEND** by deleting the language "July 1, 2023" in SECTION 2 and  
substituting instead the language "January 1, 2024".



0810222844



\*004278\*

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

<b>FILED</b>
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

**AMEND Senate Bill No. 1337**

**House Bill No. 87\***

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 66-19-103(b), is amended by deleting the subsection and substituting instead:

(b) As used in this section:

(1) "Garagekeeper" means an operator of a parking place or establishment, motor vehicle storage facility, or establishment for the servicing, repair, or maintenance of vehicles; and

(2) "Rental vehicle company" means a person or entity, or a subsidiary or affiliate of the person or entity, including a franchisee, in the business of renting vehicles to the public.

SECTION 2. Tennessee Code Annotated, Section 66-19-103, is amended by deleting "rental company" in subdivisions (a)(1)(B) and (a)(3) and substituting instead "rental vehicle company".

SECTION 3. Tennessee Code Annotated, Section 66-19-103(c), is amended by deleting the subsection and substituting instead:

(c) A person, firm, or entity shall not have a right to a lien on a vehicle that has been towed in violation of title 55, chapter 16. If the owner of the vehicle is not present, then within fifteen (15) minutes of a person, firm, or entity towing the vehicle pursuant to this chapter, the person, firm, or entity shall notify local law enforcement of the vehicle identification number (VIN), registration information, license plate number, and description of the vehicle. A violation of this notification requirement by a person, firm, or



0964962244



\*004123\*



entity is a Class A misdemeanor. Local law enforcement shall keep a record of that information, which must be available for public inspection.

SECTION 4. Tennessee Code Annotated, Section 55-16-105, is amended by:

(1) Deleting "notify by registered mail, return receipt requested," in subsection (a) and substituting instead "notify by registered mail, return receipt requested, or by overnight delivery using a nationally recognized carrier with proof of delivery,";

(2) Deleting "sent by registered or certified mail, return receipt requested," in subsection (b) and substituting instead "sent by registered or certified mail, return receipt requested, or by overnight delivery using a nationally recognized carrier with proof of delivery,";

(3) Deleting "by registered mail" in subsection (c) and substituting instead "by registered mail or overnight delivery"; and

(4) Deleting "by mail" in subdivision (g)(2) and substituting instead "by mail or overnight delivery".

SECTION 5. Tennessee Code Annotated, Section 55-16-105(f), is amended by deleting the first and second sentences and substituting instead:

If an employee of a public agency, a towing company contracting with a public agency, or a towing company authorized to tow by a private property owner or the private property owner's authorized agent, takes possession of a vehicle found abandoned, immobile, or unattended, then an employee of the agency shall verify ownership through the Tennessee Information Enforcement System (TIES) and shall place the ownership information on the towing sheet or form. The agency shall also provide the ownership information to a towing company or garagekeeper with whom the agency has a contract or to a towing company authorized to tow by a private property owner or private property owner's authorized agent, as applicable.

SECTION 6. Tennessee Code Annotated, Section 55-16-105(g)(1), is amended by deleting the subdivision and substituting instead:

(1) In addition to the notification requirements of subsection (a), a garagekeeper or towing firm, which has in its possession an abandoned, immobile, or unattended motor vehicle taken into custody by a police department or authorized by a private property owner or the private property owner's authorized agent to be towed, and in whose possession the vehicle was lawfully placed by the police department or authorized to be placed by a private property owner or the private property owner's authorized agent, shall, within three (3) business days after the motor vehicle is taken into its possession, verify ownership of the motor vehicle pursuant to subsection (f). The garagekeeper or towing firm shall, within three (3) business days after receiving verification of ownership, provide notice to the last known registered owner of the motor vehicle and all lienholders of record. The notification requirements included in subsection (a) apply to the notice required to be provided by a garagekeeper or towing firm pursuant to this subdivision (g)(1).

SECTION 7. Tennessee Code Annotated, Section 55-23-103(a), is amended by deleting the language "towing motor vehicles by wrecker or otherwise and the storing of these motor vehicles" and substituting instead the language "towing motor vehicles by wrecker or otherwise or the storing of these motor vehicles".

SECTION 8. Section 3 of this act takes effect July 1, 2023, the public welfare requiring it, and applies to vehicles towed or taken into storage on or after July 1, 2023. All remaining sections of this act take effect upon becoming a law, the public welfare requiring it, and apply to vehicles towed or taken into storage on or after such date.

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

<b>FILED</b>
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

**AMEND Senate Bill No. 1281**

**House Bill No. 818\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-8-151(c), is amended by deleting subdivisions (1)-(6), adding the following as new subdivisions, and renumbering the existing subdivisions (7)-(10) accordingly:

(1) A local education agency (LEA) may purchase, install, operate, and maintain cameras on the exterior of school buses, or may enter into a contract with a private vendor to purchase, install, operate, and maintain cameras on the exterior of school buses, whether owned, contracted, or leased by the LEA, and provide other services related to violations of subdivision (a)(1), on behalf of the LEA, for the purpose of recording images of motor vehicles that are in violation of subdivision (a)(1) for failing to stop upon approaching a school bus.

(2) An LEA that installs cameras on the exterior of school buses in accordance with subdivision (c)(1) shall enter into a memorandum of understanding with local law enforcement that includes, but is not limited to, the review of evidence from a camera and overall enforcement. Only POST-certified or state-commissioned law enforcement officers, including school resource officers, as defined in § 49-6-4202, are authorized to review evidence from a camera to determine whether a violation of subdivision (a)(1) has occurred.

(3)

(A) In lieu of prosecution for an offense under subdivision (a)(5)(B), where evidence of the offense is based solely from a camera that has been



0134468213



\*004548\*

installed on the exterior of a school bus, a person may be issued a notice of violation or citation; however, this subdivision (c)(3)(A) does not preclude the state from prosecuting an offense under subdivision (a)(5)(B), where evidence of the offense is based solely from such camera if the state meets the burden of proof set out in § 39-11-201.

(B) A notice of violation or citation issued for a violation of subdivision (a)(1) that is based solely upon evidence from a camera that has been installed on the exterior of a school bus is considered a nonmoving traffic violation.

(C) The registered owner of the motor vehicle is responsible for payment of a notice of violation or citation; provided, that the owner is not responsible for the violation if the owner submits documentation in accordance with § 55-8-198(e).

(D) The fine for a first notice of violation or citation under this subdivision (c)(3) is two hundred fifty dollars (\$250), and the fine for a second or subsequent notice of violation or citation is five hundred dollars (\$500).

(4)

(A) Notices of violations or citations must be sent in accordance with § 55-8-198(b)(1) to the registered owner of the vehicle that was captured by the camera.

(B) Photographs or video produced by a camera that has been installed on the exterior of a school bus are prima facie evidence that the vehicle described in the citation was operated in violation of subdivision (a)(1). Photographs or video produced by a camera that has been installed on the exterior of a school bus, together with proof that the defendant was the registered owner of the vehicle at the time of the violation, create an inference that the owner of the vehicle was the driver of the vehicle at the time of the alleged

violation. The inference may be rebutted if the owner of the vehicle submits documentation in accordance with § 55-8-198(e).

(C) A citation based solely upon evidence obtained from a camera that has been installed on the exterior of a school bus is deemed invalid if the registration information of the motor vehicle for which the citation is issued is not consistent with the evidence recorded by the camera.

(5) For a violation of subdivision (a)(1), there is a presumption that the photographs or video produced by a camera that has been installed on the exterior of a school bus provide evidence that the school bus was stopped for the purpose of receiving or discharging school children.

(6) Photographs or video produced by a camera that has been installed on the exterior of a school bus depicting a violation of subdivision (a)(1) must be made available for inspection in any proceeding in which the citation or violation is being contested.

(7) The notice of violation or citation must include:

(A) The date, location, and time of the alleged violation;

(B) The amount of the fine being assessed;

(C) The means by which the owner may elect to shift responsibility for the payment of the citation to the operator of the vehicle at the time of the alleged violation pursuant to § 55-8-198(e); and

(D) Information detailing the process for contesting the citation, including the applicable court having jurisdiction.

(8)

(A) One hundred percent (100%) of the proceeds from any fine imposed under this section that is based solely upon evidence obtained from a camera installed on the exterior of a school bus must be allocated to the LEA without being designated for any particular purpose.

(B)

(i) The LEA may use the proceeds for the purpose of defraying the costs of purchasing, installing, operating, or maintaining the camera, or reimbursing or compensating the vendor with which the LEA contracted regarding the purchase, installation, operation, or maintenance of the camera, the provision of other services related to violations of subdivision (a)(1), or reimbursement to law enforcement for costs related to review and enforcement of violations of subsection (a)(1) allowable under the law.

(ii) If the LEA uses the proceeds for the purpose of reimbursing or compensating a vendor with which the LEA contracted regarding the purchase, installation, operation, or maintenance of the camera, or the provision of other services, then the LEA shall create procedures for such reimbursement or compensation and shall maintain records of the reimbursement or compensation.

SECTION 2. Tennessee Code Annotated, Section 55-8-151(a)(5), is amended by deleting the subdivision and substituting instead the following:

(A) It is a Class C misdemeanor for a person to fail to comply with any provision of this subsection (a) other than the requirement that a motor vehicle stop upon approaching a school bus.

(B) It is a Class A misdemeanor punishable only by a fine of not less than two hundred fifty dollars (\$250) nor more than one thousand dollars (\$1,000) for a person to fail to comply with the provision of this subsection (a) requiring a motor vehicle to stop upon approaching a school bus; except, that a second or subsequent violation of subdivision (a)(1) is a Class A misdemeanor punishable only by a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000).

(C) A person who violates subdivision (a)(1) and strikes another person with a vehicle, commits a Class E felony; provided, that the person commits a Class C felony if the striking results in the death of the other person.

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it, and applies to all notices of violation and citations issued on or after July 1, 2023, and to contracts entered into, amended, or renewed on or after July 1, 2023.